

Pending before the Court is Plaintiffs’ motion for a 30-day extension to conduct diligence in an attempt to serve three Defendants and/or for leave to serve those three Defendants by publication. Docket No. 153. Where good cause is shown, the time for serving the complaint is extended for an appropriate period. *See* Fed. R. Civ. P. 4(m).¹ The Court finds good cause exists for the requested 30-day extension to conduct further due diligence and/or confirm that the parties already served are indeed the Defendants in this action. Accordingly, the deadline to serve Defendants Equity Financing Ltd., MKS, LLC, and Worldwide Investment, LLC is hereby **EXTENDED** to February 14, 2014.


Service by publication implicates a defendant’s fundamental due process rights. *See, e.g., Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314-15 (1950); *Price v. Dunn*, 787

¹ The relevant standards governing this request are more fully outlined by United States District Judge Gloria M. Navarro in Docket No. 76.

1 P.2d 785, 787 (Nev. 1990). “Because of due process concerns, service by publication must be
2 allowed only as a last resort.” *Board of Trustees v. Debruin Constr., Inc.*, 2014 WL 26184, *1 (N.D.
3 Cal. Jan. 23, 2014). In light of Plaintiffs’ request for additional time to conduct due diligence and/or
4 confirm they have already served the correct Defendants, the request for service by publication
5 appears premature. Accordingly, the motion is **DENIED** without prejudice with respect to the
6 request to effectuate service by publication on Defendants Equity Financing Ltd., MKS, LLC, and
7 Worldwide Investment, LLC.

8 IT IS SO ORDERED.

9 DATED: January 28, 2014

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NANCY J. KOPPE
United States Magistrate Judge
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